

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

Robinson, et al)	Case No: 14 C 9691
)	
v.)	
)	Judge Thomas M. Durkin
)	
Village of Lansing Police)	
Dept.)	

ORDER

The Court has conducted a preliminary review of the pro se complaint in this case. Plaintiff's complaint is dismissed for failure to state a claim. Plaintiff's application to proceed in forma pauperis, R. 5, is denied. Plaintiff, however, is not required to pay the filing fee at this time.

STATEMENT

The Court has conducted a preliminary review of the pro se complaint in this case. Plaintiff's complaint is dismissed for failure to state a claim. Plaintiff alleges that the Village of Lansing Police Department and the staff at his daughter's school, among other defendants, improperly prevented him from picking up his daughter from school. Plaintiff alleges that the school maintains that they are in possession of a court order that prevents the school from permitting Plaintiff to take custody of his daughter, whereas Plaintiff alleges that he has a court order (presumably issued by a state court) that permits him to take custody of his daughter. Plaintiff alleges that these facts state a claim for violation of his federal civil rights pursuant to 42 U.S.C. §§ 1983, 1985, and 1986. Plaintiff's allegations amount to a claim that the school and police either will not enforce a court order or have misinterpreted a court order. This does not implicate Plaintiff's federal civil rights, but rather is a matter for the court that issued the order(s) in question. Typically, if a party believes that someone has violated a court order, the party should go before the court that issued the order to seek relief. Federal court is not the appropriate forum to seek enforcement of a state court order. For these reasons, Plaintiff's complaint, R. 1, is dismissed without prejudice. Plaintiff's application to proceed in forma pauperis, R. 5, is denied. Plaintiff, however, is not required to pay the filing fee at this time.

The case will be dismissed with prejudice on January 12, 2015 unless Plaintiff can cure the deficiencies in his complaint the Court has identified in this

order. If Plaintiff refiles his complaint, he also must refile an application for leave to proceed in forma pauperis if he continues to seek such assistance. For additional assistance, Plaintiff may make an appointment with the District Court's Pro Se Assistance Program by visiting the Clerk's Office Intake Desk on the 20th Floor of 219 S. Dearborn, or by calling (312) 435-5691.

Date: 12/9/14

/s/ Thomas M. Durkin